

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Patent No.: 5,094,041

Issue Date: March 10, 1992

Patentees: Gary P. Kasner, Mark S. Stoll,
and Richard J. Morris

Title: Ridge Cap Types
Roof Ventilator

DECLARATION PURSUANT TO
37 CFR §1.63

DECLARATION, POWER OF ATTORNEY, AND PETITION

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first, and joint inventor of the subject matter which is described and claimed in letters patent number 5,094,041 granted on March 10, 1992 entitled: **RIDGE CAP TYPES ROOF VENTILATOR**, and in the foregoing specification which is attached hereto and for which invention I solicit a reissue patent.

I state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any Preliminary Amendment referred to herein.

I state that I believe the original patent to be partially inoperative or invalid because of error without any deceptive intent on the part of the applicants or inventors, for failing to claim all the subject matter which applicants were entitled to claim as their

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Commissioner of Patents and Trademarks
Washington, D.C. 20231 on

BRIGGS AND MORGAN

Signature

Date

9-16-94

9-16-94

invention and for nonjoinder of a true inventor, as set forth in the accompanying Verified Statement of Facts.

I acknowledge the duty to disclose information material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), including any public use, sale, or offer for sale of the disclosed invention occurring more than one year prior to the filing date of this application.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed and have identified any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

PRIOR FOREIGN APPLICATION(S)

			Priority Claimed	
(Number)	(Country)	(Day/month/year filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status - patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint, jointly and severally, Philip G. Alden, Registration No. 32,189, and BRIGGS AND MORGAN, 2200 First National Bank Building, 332 Minnesota Street, Saint Paul, Minnesota 55101, my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, and the general power of attorney to file and prosecute any foreign or International (PCT) application claiming the benefit of priority of this application, or any continuation, continuation-in-part, or divisional thereof.

All communications shall be addressed to:

Philip G. Alden
BRIGGS AND MORGAN
2200 First National Bank Building
332 Minnesota Street
Saint Paul, Minnesota 55101
(612) 223-6562

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-referenced specification and claims, and I

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Patent No.: 5,094,041)
Issue Date: March 10, 1992)
Patentees: Gary P. Kasner, Mark S. Stoll,) **DECLARATION PURSUANT TO**
and Richard J. Morris) **37 CFR §1.63**
Title: Ridge Cap Types)
Roof Ventilator)

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Washington, D.C. 20231 on 9-16-94
BRIGGS AND MORGAN
Pat. by Thays 9-16-94
Signature Date

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(Number)	(Country)	(Day/month/year filed)	Yes	No

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All communications shall be addressed to:

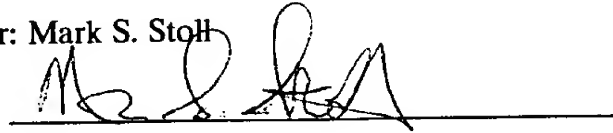
Philip G. Alden
BRIGGS AND MORGAN
2200 First National Bank Building
332 Minnesota Street
Saint Paul, Minnesota 55101
(612) 223-6562

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-referenced specification and claims, and I

hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney and this petition.

Full name of inventor: Mark S. Stoll

Inventor's signature:



Date: 9-14-94

Residence (City/State): Excelsior, Minnesota

Mailing Address: 19055 Eastwood Drive
Excelsior, Minnesota 55331

Citizenship: United States

Attorney Docket No. 18378.9

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Patent No.: 5,094,041)
Issue Date: March 10, 1992)
Patentees: Gary P. Kasner, Mark S. Stoll,) **DECLARATION PURSUANT TO**
and Richard J. Morris) **37 CFR §1.63**
Title: Ridge Cap Types)
Roof Ventilator)

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Washington, D.C. 20231 on 9-16-94
BRIGGS AND MORGAN

Sally Thayer 9-16-94
Signature Date

invention and for nonjoinder of a true inventor, as set forth in the accompanying Verified Statement of Facts.

I acknowledge the duty to disclose information material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a), including any public use, sale, or offer for sale of the disclosed invention occurring more than one year prior to the filing date of this application.

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PRIOR FOREIGN APPLICATION(S)

			Priority Claimed	
(Number)	(Country)	(Day/month/year filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing date)	(Status - patented, pending, abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint, jointly and severally, Philip G. Alden, Registration No. 32,189, and BRIGGS AND MORGAN, 2200 First National Bank Building, 332 Minnesota Street, Saint Paul, Minnesota 55101, my attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith, and the general power of attorney to file and prosecute any foreign or International (PCT) application claiming the benefit of priority of this application, or any continuation, continuation-in-part, or divisional thereof.

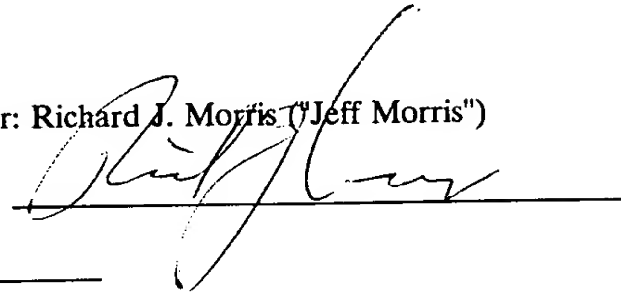
All communications shall be addressed to:

Philip G. Alden
BRIGGS AND MORGAN
2200 First National Bank Building
332 Minnesota Street
Saint Paul, Minnesota 55101
(612) 223-6562

Wherefore, I pray that Letters Patent be granted to me for the invention or discovery described and claimed in the above-referenced specification and claims, and I

hereby subscribe my name to said specification and claims and to the foregoing declaration, power of attorney and this petition.

Full name of inventor: Richard J. Morris ("Jeff Morris")

Inventor's signature: 

Date: 9-14-94

Residence (City/State): Prior Lake, Minnesota

Mailing Address: 15987 Island View Road
Prior Lake, Minnesota 55372

Citizenship: United States

Attorney Docket No. 18378.9

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

Attorney Docket No. 1915.14US01

Kasner et al.

U.S. Patent No.: 5,094,041

Examiner: M. Safavi

Application No.: 08/209,559

Group Art Unit: 3635

Filed: March 10, 1994

For: RIDGE CAP TYPE ROOF VENTILATOR

SUPPLEMENTAL DECLARATION UNDER 37 C.F.R. § 1.175

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We, Gary P. Kasner, Mark S. Stoll, and Richard J. Morris, in supplement to the Declarations and Verified Statements of Fact previously submitted in the above-identified reissue application, and incorporating the same herein by reference as though fully set forth, hereby declare:

1. We have reviewed and understand the contents of the reissue specification, including the claims, as amended by the amendments and as specifically referred to herein.
2. We believe ourselves to be the original and first inventors of the subject matter, which is claimed and for which a reissue patent is sought.
3. We acknowledge the duty to disclose information material to the examination of this application in accordance with 37 C. F. R. § 1.56, including any public use, sale, or offer of sale

of the disclosed invention occurring more than one year prior to the filing date of the application from which the present Patent issued.

4. We believe the original patent to be partially or wholly inoperative because of error without any deceptive intent for: (1) nonjoinder of a true inventor and (2) by reason of a defective specification, the specification containing at least one indefinite claim therein.

5. We believe Claim 4, as allowed, could be construed as indefinite because it is not clear that "each of said vent parts defines a multiplicity of air passages communicating with said roof opening."

6. We believe Claim 7, as allowed, could be construed as indefinite because Claim 7 does not clearly recite "at least one of said apertures disposed in each of said vent panels."

7. We believe Claim 8, as allowed, could be construed as indefinite because Claim 8 might be interpreted to contradictorily require that the pockets be defined by, and extending at least partially through, at least a one of the vent parts, yet be spaced apart from the roof ventilator interior region by the entire vent part.

8. We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

9. That every error in the patent corrected in the present reissue application and not covered by prior declarations, arose without any deceptive intent.

1-2-00
Date

Gary P. Kasner
Gary P. Kasner

1-2-01
Date

Mark S. Stoll
Mark S. Stoll

1-2-01
Date

Richard J. Morris
Richard J. Morris

Please grant any extension of time necessary for entry; charge any fee due to Deposit Account No. 16-0631.

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

11 January 2001
Date of Deposit

Wm. Larry Alexander
Wm. Larry Alexander

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Kasner et al.

Attorney Docket No.: 1915.14-US-01

Application No.: 08/004,783

Examiner: M. Safavi

Filed: March 10, 1994

Group Art Unit: 3504

For: RIDGE CAP TYPE ROOF VENTILATOR

SUBSTITUTION OF ATTORNEY

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

I hereby appoint the following attorneys/agents to prosecute the above-identified patent application and to transact all business in the U.S. Patent and Trademark Office connected therewith:

James H. Patterson (30,673), Steven J. Keough (33,190), John F. Thunte (29,595), William M. Hienz III (37,069), Paul W. Stanga (38,320), William L. Alexander (37,269), Girma Wolde-Michael (36,724), Kimberly K. Baxter (40,504), Paul S. Grunzweig (37,143), Eric H. Chadwick (41,664), and Randall T. Skaar (42,151).

Address all telephone calls to: James H. Patterson (612/349-5741).

Address all correspondence to: James H. Patterson, Patterson & Keough, P.A., 1200 Rand Tower, 527 Marquette Avenue South, Minneapolis, Minnesota 55402. Please reference Attorney Docket No. 1915.14-US-01 on all

correspondence. Additionally, please charge any future fees to Deposit Account No. 16-0631.

All previous powers of attorney granted in this case are hereby revoked.

Liberty Diversified Industries, Inc.,
Assignee

Date: May 6, 1998

David Lenzen
Name David Lenzen
Executive Vice President

Title

CERTIFICATE OF MAILING

I hereby certify that this document is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on

19 May 98

Date of Deposit
James D. Parsons

Name of Person Signing Certificate
James D. Parsons

Signature

ASSIGNMENT

WHEREAS, Richard J. Morris ("Jeff Morris"), a citizen of the United States, residing at 15987 Island View Road, Prior Lake, Minnesota 55372, made an invention disclosed and claimed in an Application for United States Letters Patent filed as Serial No. 07/479,376 on February 13, 1990, and now issued as U.S. Patent No. 5,094,041 on March 10, 1992 entitled: **RIDGE CAP TYPES ROOF VENTILATOR**; and

WHEREAS, Liberty Diversified Industries, Inc., a corporation organized and existing under and by virtue of the laws of the State of Minnesota and having a principal place of business located at 5600 North Highway 169, New Hope, Minnesota 55428, is desirous of acquiring an interest in and to said invention, and in and to the Letters Patent that may be issued thereon;

NOW THEREFORE, Be It Known, that for good and valuable consideration, the receipt of which is hereby acknowledged by the undersigned, the entire right, title, and interest of said Jeff Morris in and to said application for United States Letters Patent, and the Invention disclosed and claimed therein, the resultant patent or patents for said invention and any renewals, reissues, extensions, substitutions, and continuations or divisions thereof, including all foreign rights thereunder, as fully set forth and described in the specification of said application for Letters Patent, is hereby sold, assigned and transferred unto said Liberty Diversified Industries, Inc.

The Commissioner of Patents is hereby authorized and requested to issue said Letters Patent in accordance with this Assignment.

Signature

Richard J. Morris

Signed at Golden Valley, MN, this 10th day
of March, 19 94.

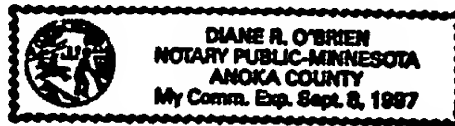
STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.

Subscribed and sworn before me this

10th day of March, 19 94

Diane R. O'Brien
Notary Public

Attorney Ref. No. 18378.9



Express Mail Mailing Label No. CB388348642
3-10-94

Date of Deposit
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KATHY THOMP
(Typed or printed name of person mailing paper or fee)

Kathy Thompson
(Signature of person mailing paper or fee)

RECORDED
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MAR 10 94

REISSUE PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Reissue Application of:

Attorney Docket No. 1915.14US01

Kasner et al.

Application No.: 08/209,559

Examiner: M. Safavi

Filed: March 10, 1994

Group Art Unit: 3635

For: RIDGE CAP TYPE ROOF VENTILATOR

CONSENT OF ASSIGNEE TO CHANGE OF INVENTORSHIP AND REISSUE

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, David H. Lenzen, declare that:

1. I am authorized to act on behalf of the assignee, Liberty Diversified Industries, Inc.
2. The assignee owns the entire title and right to the above-identified U.S. Patent and photocopies of assignment documents and their Reel and Frame locations are disclosed in documents filed previously during these reissue proceedings.
3. I believe Gary P. Kasner, Mark S. Stoll, and Richard J. Morris to be the original, first, and joint inventors of the subject matter which is described and claimed in U.S. Patent 5,094,041, for which a reissue patent is sought to the invention entitled "RIDGE CAP TYPE

ROOF VENTILATOR," the specification of which was filed on March 10, 1994 as reissue application number 08/209,559 and was amended on August 8, 2000 and in the amendment filed concurrently herewith.

4. I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

5. I acknowledge the duty to disclose information which is material to the patentability of the above-referenced application as defined in 37 CFR § 1.56.

6. I believe the original patent to be wholly or partly inoperative or invalid without deceptive intent, by reason of a defective specification containing one or more claims which might be construed as indefinite, Claim 4, as allowed, can be construed as indefinite because it is not clear that "each of said vent parts defines a multiplicity of air passages communicating with said roof opening;" Claim 7, as allowed, could be construed as indefinite because Claim 7 does not clearly recite "at least one of said apertures disposed in each of said vent panels;" and Claim 8, as allowed, could be construed as indefinite because Claim 8 might be interpreted to contradictorily require that the pockets, defined by and extending at least partially through at least a one of the vent parts, be spaced apart from the roof ventilator interior region by the entire vent part.

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Date: 1-02-01

LIBERTY DIVERSIFIED INDUSTRIES, INC.

By: David H. Lenzen
David H. Lenzen
Executive Vice President

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11 January 2001
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Wm. Larry Alexander
Wm. Larry Alexander

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.: 5,094,041)
Issue Date: March 10, 1992)
Patentees: Gary P. Kasner and)
Mark S. Stoll)
Title: Ridge Cap Type)
Roof Ventilator)

PETITION FOR CORRECTION OF INVENTORSHIP OF PATENT (37 CFR §1.324)

This is a petition for correction of error in a nonjoinder of inventors in the above issued patent and it is respectfully requested that the PTO issue a certificate correcting the error.

Enclosed herewith is a statement of facts verified by the originally named inventors establishing when the error without deceptive intention was discovered and how it occurred, and a declaration by each actual inventor as required by 37 CFR §1.63.

Also enclosed is a written consent of the assignee of the entire right, title, and interest to the above entitled patent, including the underlying invention and application.

A check in the amount of \$130 is enclosed to cover the fee under 37 CFR §1.20(b). Please charge any additional fees or surcharges or credit any overpayment to

the deposit account of the undersigned firm of attorneys, Deposit Account 02-3732.

Date: 3/10/92

Respectfully submitted,

Gary P. Kasner and
Mark S. Stoll
by their attorneys

BRIGGS AND MORGAN
2200 First National Bank Building
332 Minnesota Street
St. Paul, Minnesota 55101
(612) 223-6562

By 
Philip G. Alden, Reg. No. 32,189

"Express Mail" Mailing Label No. G2388 348642
Date of Deposit 3-10-94
I hereby certify that this paper or fee is being deposited with
the United States Postal Service "Express Mail Post Office to
Addressee" service under 37 CFR 1.10 on the date indicated
above and is addressed to the Commissioner of Patents and
Trademarks, Washington, D.C. 20231.
KATHY THOMPSON
(Typed or printed name of person mailing paper or fee)
Kathy Thompson
(Signature of person mailing paper or fee)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No.:	5,094,041)	
)	
Issue Date:	March 10, 1992)	
)	
Patentees:	Gary P. Kasner and)	
	Mark S. Stoll)	VERIFIED STATEMENT
)	
Title:	Ridge Cap Type)	
	Roof Ventilator)	

VERIFIED STATEMENT OF FACTS

Being duly warned, the undersigned hereby states:

1. On or about January 20, 1994, Mr. Richard J. Morris, an employee of Liberty Diversified Industries, Inc. (LDI) and the General Manager of LDI's subsidiary Diversi-Plast Products, assignee of the above-referenced U.S. patent (Kasner '041 patent), ordered from a competitor through a distributor samples of a ridge cap type roof ventilator product believed to infringe the Kasner '041 patent. Those samples were received and forwarded to the undersigned counsel of record on February 4, 1994 who received them on February 8, 1994.

2. Upon reviewing those product samples, the undersigned counsel determined that the samples infringed some or all of claims 9-15 of the Kasner '041 patent, both literally and under the doctrine of equivalence.

3. Although claims 9-15 were infringed by the sample product, it was further determined by the undersigned counsel that other methods and structures could be used to simulate or achieve the patented arcuate route or achieve a functionally equivalent result, and that while these methods and structures would arguably be encompassed by

claims 9-15 of the Kasner '041 patent, an accused infringer could raise questions concerning claim interpretation or assertions of non-infringement in using such a structure or method, and further that alternate structures and methods could be utilized to achieve substantially the same result in substantially the same manner but which would arguably not be within a limited interpretation of the literal language of claim 9. As such, the Kasner '041 patent is believed to be partially inoperative for failing to claim all the subject matter that the inventors were entitled to claim as their invention.

4. The issue of inventorship of the arcuate routing recited in claims 9-15 of the Kasner '041 patent had been discussed at length prior to filing and during prosecution of the application, and subsequent to issuance of the Kasner '041 patent. The issue was discussed because Mr. Gary Sells asserted that he was a joint inventor of the center route, although he had not contributed to the conception or reduction to practice of the arcuate center route. Mr. Sells had suggested that the width of the straight center route shown in an earlier prototype be widened, but that was the extent of his contribution. Mr. Sells is the President of Cor-A-Vent, Inc., the manufacturer of the sample products discussed above that are believed to infringe the Kasner '041 patent.

5. On or shortly prior to July 18, 1993, LDI and the undersigned counsel realized that Mr. Sells may have been under the mistaken belief that the pending U.S. patent application was intended to claim the concept of a center route as shown in the Fiterman '813 patent, and the undersigned counsel wrote to Mr. Sells to set forth the correct interpretation regarding the claimed arcuate route and Mr. Sells' error in believing he was a joint inventor. The undersigned counsel requested that Mr. Sells respond with any contrary information or assertions.

6. No reply to that correspondence was received by the undersigned counsel, however it was learned through independent sources that the Sells '254 patent had issued on October 8, 1991 showing an arcuate center route in the drawing figures substantially identical to that shown in the Kasner '041 patent. The Sells '254 patent contained no written description in the specification, no enabling disclosure, no reference numerals, nor claims that were drawn to that arcuate route feature. As such, the undersigned counsel concluded that Mr. Sells had abandoned his asserted position of joint inventorship and that the original determination that Mr. Sells was not a joint inventor was in fact correct.

7. The original application was filed in the names of Gary P. Kasner and Mark S. Stoll. It was known by the undersigned counsel that Mr. Kasner had made inventive contributions to the conception and reduction to practice of the arcuate route and that both Mr. Kasner and Mr. Stoll had made inventive contributions to the other features and concepts disclosed and claimed in that application, although Mr. Stoll had and continues to have no first hand knowledge concerning inventorship of the arcuate route.

8. It was unknown to the undersigned counsel that Mr. Morris had also made inventive contributions to the conception of the arcuate route that were subsequently reduced to practice. At the time the application was filed Mr. Morris was not aware that some of the claims of the application were drawn to the arcuate route, but rather believed the application was directed to the general concept of a center route and other features such as the stacked apertures. Mr. Morris understood Mr. Kasner to have been at least partially responsible for the development and reduction to practice of the straight center route shown in the Fiterman '813 patent, and therefore did not realize that he

should be named as a joint inventor on the application since its subject matter was actually the arcuate center route, and he therefore made no such suggestion to Mr. Kasner, Mr. Stoll, or the undersigned counsel.

9. Due to an error by the undersigned counsel, the original claims of the application concerning the arcuate route were unintentionally drafted broadly enough to recite or encompass a non-arcuate or straight center route such as shown in the Fiterman '813 patent, as noted by the Examiner during prosecution, although it was understood by Mr. Kasner, Mr. Stoll, and the undersigned counsel at the time of filing the application that the claim language was intended to encompass or relate only to the arcuate route concept disclosed in the application. This error was discussed and corrected during prosecution. Consequently, at the time of filing and during prosecution, Mr. Kasner, Mr. Stoll, and the undersigned counsel believed the correct inventors had all been named.

10. In discussing claims 9-15 of the Kasner '041 patent in preparation for receiving the allegedly infringing product samples on February 4, 1994, and during further review of those claims in light of the allegedly infringing product samples and potential arguments that would be raised by Mr. Sells or Cor-A-Vent regarding infringement and validity, Mr. Kasner, Mr. Morris, the undersigned counsel, and Mr. David E. Kohner (LDI's General Counsel) again discussed the issue of inventorship including the steps taken during and prior to reducing the invention recited in claims 9-15 to practice, as well as other arguably similar or non-infringing methods to obtain an equivalent result. Mr. Kasner and Mr. Morris then realized and conveyed to the undersigned counsel that Mr. Morris had contributed to the conception of the invention as claimed in issued claims 9-15, and should properly be a named inventor. These discussions took place during the

first two weeks of February, 1994. Inventorship as to the subject matter claimed in the remaining claims and subsequent continuation application remains correct and proper.

11. This error arose without any deceptive intention on the part of Mr. Kasner or Mr. Stoll, as well as Mr. Morris, Mr. Kohner, or the undersigned counsel.

12. The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any application or patent issuing thereon.

Date: _____

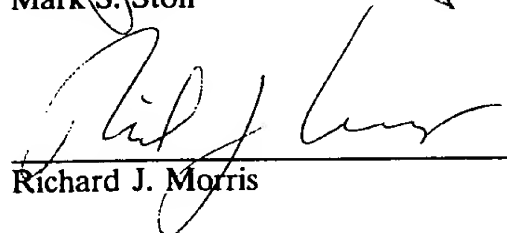
Gary P. Kasner

Date: 3-10-94




Mark S. Stoll

Date: 3-10-94



Richard J. Morris

Date: 3/10/94



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first two weeks of February, 1994. Inventorship as to the subject matter claimed in the remaining claims and subsequent continuation application remains correct and proper.

11. This error arose without any deceptive intention on the part of Mr. Kasner or Mr. Stoll, as well as Mr. Morris, Mr. Kohner, or the undersigned counsel.

12. The undersigned hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of any application or patent issuing thereon.

Date: 3/10/94

Gary P. Kasner
Gary P. Kasner

Date: _____

Mark S. Stoll

Date: _____

Richard J. Morris

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B. Patent No.(s) 5,094,041

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